



Doc# 71179/US03

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Sheppard et al.

Serial No.: 10/645,737

Group Art Unit:

Filed: August 21, 2003

Examiner:

For: PROCESS FOR THE OXIDATIVE PURIFICATION OF TEREPHTHALIC  
ACID

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

LETTER

Applicants wish to make known to the Examiner that data presented in the examples of this application were taken in a commercial plant more than one year before the filing date of the parent application. The test in the commercial plant represented a bona fide effort to determine whether the disclosed invention would answer its intended purpose. To the best of our knowledge, the invention was tested in the plant for about a week or less and only for the purpose as previously stated. Pursuant to MPEP §2133.03(e), "a use or sale is experimental for purposes of section 102(b) if it represents a bona fide effort to perfect the invention or to ascertain whether it will answer its intended purpose". Therefore, this test does not constitute a statutory bar under 102(b).

Respectfully submitted,

Steven A. Owen  
Registration No. 50,355

1/6/2004  
Date

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**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper(s) referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Kristi D. Huff

1/6/04  
Date



Docket: 71179/US03

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Mail Stop Non-Fee Amendment

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97(b)**


In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicant are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

☐ An International Search Report in connection with the corresponding PCT application has been received. A copy is enclosed.

The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last.

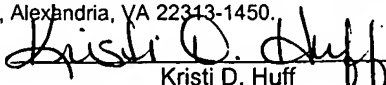
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Kristi D. Huff

1/6/04  
Date



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+

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Attorney Docket Number 71179/US03

First Named Inventor Sheppard et al.

COMPLETE IF KNOWN

Application Number 10/645,737

Filing Date August 21, 2003

Group Art Unit

Sheet

1

of

1

Examiner Name

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		3,584,039		Meyer	06-08-1971
		3,996,271		Yokota et al.	12-07-1976
		4,158,738		Scott et al.	06-19-1979
		4,939,297		Browder et al.	07-03-1990
		U.S. Application No.: 10/645,734		Sheppard et al.	Filed 08-21-2003
		U.S. Application No.: 10/667,744		Sumner et al.	Filed 09-22-03

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		JP	2001-139514	A	Mitsubishi Chemical Ind. Ltd.	05-22-2001	√
		JP	2001-247511		Mitsubishi Chemical Ind. Ltd.	09-11-2001	√
		JP	2001-288139		Mitsubishi Chemical Ind. Ltd.	10-16-2001	√

Examiner  
Signatur

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.